

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

Case No. 5:22-CR-00190-M  
Case No. 5:24-CV-00286-M

JAVIER CORTEZ GUERRANT,

Petitioner,

v.

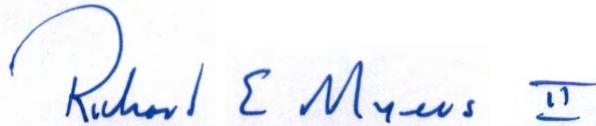
ORDER

UNITED STATES OF AMERICA,

Respondent.

This matter comes before the court sua sponte. On March 11, 2024, Petitioner filed a “Motion to Discharge, Vacate, and Expunge Sentence,” DE 44 at 1, which the court construed as a petition seeking habeas relief pursuant to 28 U.S.C. § 2255. Because that motion did “not substantially follow the form appended to the Rules Governing § 2255 Proceedings,” the court ordered Petitioner to complete and return “the appropriate form.” DE 45 at 1. Petitioner failed to do so. *See* Docket Entries dated May 23, 2024, to present. Accordingly, Petitioner’s motion is DISMISSED WITHOUT PREJUDICE for failure to comply with Rule 2(c) of the Rules Governing § 2255 Proceedings and Local Civil Rule 81.2 of this court.

SO ORDERED this 21<sup>st</sup> day of October, 2024.



RICHARD E. MYERS II  
CHIEF UNITED STATES DISTRICT JUDGE